IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 17882 of 2007(S)

W.OS.36/2007 of WAKF TRIBUNAL, ERNAKULAM
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PETITIONERS:
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1. M.M.YUSUF MOULAVI, S/O.MOHAMMED,
AGED 50 YEARS, MANALIKKUDY HOUSE,
PEZHAKKAPPILLY, MOOVATTUPUZHA TALUK,
ERNAKULAM DISTRICT.

2. N.K.PAREETH, S/O.KUNJAHAMMED,
NADUVATH KALATHIL HOUSE, AGED 57 YEARS,
PEZHKKAPPILLY, MOOVATTUPUZHA TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.M.P.MOHAMMED ASLAM
SRI.P.K.YUSUF ISSUDDIN

RESPONDENTS:
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1. P.V.ALIKUNJU, S/O.VAPPU, AGED 70 YEARS,
PANDIARPPILLY HOUSE, P.O.MUDAVOOR, MOOVATTUPUZHA
TALUK, ERNAKULAM DISTRICT.

2. K.K.EBRAHIM, S/O.KUNJHALI, AGED 58
YEARS, KUNNAPPILLY HOUSE, P.O.PEZHAKKAPILLY,
MOOVATTUPUZHA TALUK, ERNAKULAM DISTRICT.

3. P.E.MUSTHAFA KAMAL, S/O.EBRAHIM,
PANDIARPILLY HOUSE, P.O.PEZHAKKAPILLY,
MOOVATTUPUZHA TALUK, ERNAKULAM DISTRICT.

4. THE KERALA WAKF BOARD, REPRESENTED BY
ITS CHIEF EXECUTIVE OFFICER, OFFICE OF THE
KERALA WAKF BOARD, KALOOR, ERNAKULAM.

BY ADV. SRI.P.A.ABDUL JABBAR, SC, WAKF BOARD
SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 17882 of 2007(S)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE PLAINT IN W.O.S.36/07 FILED BY THE PETITIONERS BEFORE THE WAKF TRIBUNAL ERNAKULAM DATED 29.5.2007.

EXT.P2: COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT DATED 20.3.2007.

EXT.P3: COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT DATED 31.03.2007.

EXT.P4: COPY OF THE LAWYER NOTICE ISSUED BY THE PETITIONERS TO RESPONDENT 1 AND 3 THROUGH ADVOCATE RAJESH VIJAYAN AND DATED 9.5.2007.

EXT.P5: COPY OF THE NOTICE ISSUED BY THE 1ST AND THE 3RD RESPONDENTS DATED 23.5.2007.

EXT.P6: COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT DTED 16.5.07.

EXT.P7: COPY OF THE AFFIDAVIT AND I.A. IN I.A.NO.121/2007 IN W.O.S. 36/07 FILED BY THE PETITIONERS BEFORE THE WAKF TRIBUNAL, ERNAKULAM DATED 30.5.2007.

EXT.P8: COPY OF THE AFFIDAVIT AND I.A. IN I.A. NO.122/2007 IN W.O.S.NO.36/2007 FILED BY THE PETITIONERS BEFORE THE WAKF TRIBUNAL, ERNAKULAM DATED 30.5.2007.

EXT.P9: COPY OF THE AFFIDAVIT AND I.A. IN I.A. NO.123/2007 IN W.O.S.36/ 07 FILED BY THE PETITIONERS BEFORE THE WAKF TRIBUNAL, ERNAKULAM DATED 30.5.2007.

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BKN // TRUE COPY//

P.A TO JUDGE.

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO. 17882 OF 2007

Dated this the 25th day of June, 2007.

JUDGMENT

Kurian Joseph, J.

The Writ Petition is filed mainly with the following prayer:-

i) Issue a writ of mandamus or other appropriate writ, direction or order commanding the respondent No. 4 to conduct a free and fair election to elect the members and office bearers of the Thajul Ma'arif Madrassah Committee, Pezhakkappilly, Muvattupuzha, Ernakulam under the supervision of an advocate commissioner appointed by this Hon'ble Court within two weeks.

There are other prayers also. The Writ Petition happened to be filed before this court, since the Tribunal was not functioning. As the Tribunal is functioning now, this court need not consider the matter on merits. It is submitted that the case is posted to tomorrow, 26.6.2007 before the Tribunal. Petitioners may move for appropriate orders before the Tribunal.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

bkn